

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

| | | |
|---------------------------|---|------------------------|
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Plaintiff, | : | Crim. No. 09-0319(DRD) |
| | : | |
| v. | : | |
| | : | <u>ORDER</u> |
| LORENZO ALVAREZ | : | |
| | : | |
| Defendant. | : | |
| _____ | : | |

Defendant, Lorenzo Alvarez, having moved for an order (1) precluding the use at trial of the Fed. R. Crim. P. 15 deposition testimony of Laura Ramirez-Vazquez and (2) dismissing Count One of the Superseding Indictment; and the Court having considered the submissions of the parties and having heard argument of counsel;

IT is this 13th day of January, 2010;

ORDERED as follows:

1. Defendant's motion to preclude the use of the Fed. R. Crim. P. 15 deposition testimony of Laura Ramirez-Vazquez is granted.
2. Defendant's motion to dismiss Count One of the Superseding Indictment is denied.

s/Dickinson R. Debevoise
DICKINSON R. DEBEVOISE
U.S.S.D.J.